

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

MOBILE MEDICAL INTERNATIONAL)	
CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 2:07-cv-231
)	
ADVANCED MOBILE HOSPITAL SYSTEMS,)	
INC., TRACTUS MEDICAL, INC., AND DOES)	
1-10,)	
)	
Defendant.)	

MMIC'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY

Mobile Medical International Corporation hereby moves under Fed.R.Civ.P. 56 for summary judgment that U.S. Patent No. 4,915,435 is invalid as anticipated under 35 U.S.C. 102 and/or 35 U.S.C. 103. The alleged invention of the '435 patent was nothing new, and at most was a "patent for a combination which only unites old elements with no change in their respective functions [which] obviously withdraws what already is known into the field of its monopoly and diminishes the resources available to skillful men." *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398, 415-16 (2007) (quoting *Great Atlantic & Pacific Tea Co. v. Supermarket Equip. Corp.*, 340 U.S. 147, 152-153 (1950)). Summary judgment of invalidity is appropriate because the level of ordinary skill in the art and the scope of the prior art are not in material dispute, and if there is any actual distinction between the claimed subject matter and the prior art, the obviousness of those distinctions is readily apparent. For the reasons discussed in the memorandum of law submitted herewith AMoHS is incapable of proving infringement and summary judgment should be granted in favor of Mobile Medical.

Date: May 1, 2014

/s/ Mark A. Borsos

An Attorney for Plaintiff

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that **MMIC'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY** was filed through the Court's electronic filing system, which automatically serves electronic copies to all counsel of record.

Date: May 1, 2014

s/Mark A. Borsos
One of the Attorneys for MMIC